

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler

v. : Criminal No. 12-131

MICHAEL CALABRETTA, et. al. : ORDER

This matter having been opened to the Court in the presence of the parties, Paul J. Fishman, United States Attorney for the District of New Jersey (Randall Cook, Assistant U.S. Attorneys, appearing), and defendants Michael Calabretta (Genesis Peduto, Esq., appearing), Kenneth Martin (Darren Gelber, Esq., appearing), and Michelle Massaro (Richard Verde, Esq., appearing), and good cause having been shown, the Court makes the following findings:

1. This case is sufficiently complex, due to the number of related defendants and nature of the prosecution, that it is unreasonable to expect adequate preparation for pretrial proceedings and trial within the time limits established by Title 18, United States Code, Section 3161;

2. Additional scientific analysis is needed for certain electronic and forensic evidence in this case, and failure to grant a continuance would deny counsel for defendants and the Government reasonable time necessary for effective preparation of this case, taking into account the exercise of due diligence;

3. That discovery in this case includes voluminous records, requiring additional time for counsel to analyze and prepare;

4. That counsel for the Government has a trial scheduling conflict for the date previously set for trial of the instant matter;

5. That the Court is scheduled to commence a complex trial in another matter on March 26, 2012;

6. That the failure to grant a continuance would unreasonably deny the parties continuity of counsel and forum;

7. That plea negotiations between the parties continue and may result in resolution without need for trial;

8. That no continuances have previously been entered by this Court with respect to this matter; and

9. That the ends of justice served by a continuance of the trial date in this matter until August 1, 2012 outweigh the interest of the public and the defendants in a speedy trial.

IT IS, therefore, on this 12 day of March, 2012,

ORDERED that the period of time from March __, 2012 through August 1, 2012 shall be excluded for the purposes of computing time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(ii), and (h)(7)(B)(iv); and it is further

ORDERED that:

1. The Defendants shall file pre-trial motions on or before May 14, 2012;

2. The Government shall respond to pretrial motions on or before June 4, 2012;

3. Defendants shall file any reply papers on or before June 7, 2012;

4. Hearings, if any, on pre-trial motions, shall be on June 18, 2012 @ 10:00



HON. STANLEY R. CHESLER
United States District Judge

Signed for the Parties:

RANDALL H. COOK
Assistant U.S. Attorney

Genesis A. Peduto
GENESIS PEDUTO, Esq.
Counsel for Michael Calabretta

DARREN GELBER, Esq.
Counsel for Kenneth Martin

RICHARD VERDE, Esq.
Counsel for Michelle Massaro